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# Why Is the US Military Still Burning Its Explosive Waste in the Open Air?

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By Mike Ludwig (</author/itemlist/user/44659>), Truthout | Report

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For years, "open burn and open detonation" has been the military's preferred method of disposing of hazardous materials. (Photo: Toxic Burn (<http://www.shutterstock.com/pic-198429014/stock-photo-smoke-background-air-pollution-concept.html?src=4bohaDDkgkMSqyDxrsmUQg-2-40>) via Shutterstock)

A 100-foot-long incinerator manufactured in Oklahoma is arriving this week at Camp Minden, a US military facility in northwest Louisiana where a massive and unstable stockpile of explosive artillery propellant known as the M-6 awaits destruction within its metal chamber.

For the residents of neighboring towns and the nearby city of Shreveport, the idea of 15 million pounds of hazardous and explosive waste slowly being fed into the incinerator may be unsettling, but it's far better than the government's original plan to "open burn" the M-6 on trays set out in the open air. Chemicals in the M-6 can produce cancerous fumes, and unlike an open burn, the incinerator has some air pollution controls.

A US Army contractor illegally stashed the M-6 at Camp Minden several years ago, and it was discovered after a storage bunker containing the material exploded in October 2012, sending a 7,000-foot mushroom cloud into the air and shaking homes for miles around. The Army refused to take responsibility for the mess, and after months of finger-pointing, state officials and the Environmental Protection Agency (EPA) announced an emergency plan to open burn the M-6 in late 2014 (<http://www.truth-out.org/news/item/28575-an-explosive-crisis-epa-pushes-for-massive-munitions-burn-at-louisiana-s-camp-minden>).

## **For years, "open burn and open detonation" has been the military's preferred method of disposing of hazardous materials.**

Activists and community members rallied against the plan (<http://www.truth-out.org/news/item/28826-an-explosive-crisis-government-bickering-clouds-cleanup-effort-at-camp-minden>) and demanded a say in the decision-making process (<http://www.truth-out.org/news/item/29869-louisiana-residents-convince-epa-that-burning-explosive-waste-outside-is-a-bad-idea>), leading to another round of bickering

between lawmakers and state and federal agencies. The US Treasury eventually agreed to cough up \$35 million on behalf of the Army to fund an alternative disposal method, allowing officials in cash-strapped Louisiana to pay for an incinerator to be shipped in instead.

Nationally, the Defense Department maintains a stockpile of about 106 million pounds of obsolete or excess conventional munitions and expects that number to grow to 117 million pounds by 2020, according to a 2015 report (<http://www.gao.gov/assets/680/671535.pdf>) by the Government Accountability Office (GAO). These numbers may not include stockpiles handed off to private contractors - a category that includes the M-6 haphazardly hidden in deteriorating bunkers at Camp Minden. The GAO reports that some data and records on the amount of conventional munitions slated for disposal in the United States are "missing," and there is no streamlined system for sharing such information between government agencies.

For years, "open burn and open detonation" has been the military's preferred method of disposing of the hazardous materials that propel artillery rounds, launch rockets and detonate bombs. Environmentalists have spent the past two decades pushing the government to

develop alternatives to open burns as old ammunition plants and storage sites became national cleanup priorities (<http://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0404147>) due to toxic contamination.

Alternative technology such as incinerators, blast chambers and chemical treatments that can trap pollutants are now available, but the Defense Department and its contractors continue to blow up military waste at open burn sites across the country.

### **An Explosive Crisis Becomes a Business Opportunity**



**A locked gate and warning sign at the Camp Minden military facility near Minden, Louisiana. Fearing cancer-causing pollution, activists and local residents convinced authorities not to burn 15 million pounds of hazardous artillery munitions waste in open "burn trays" at Camp Minden. (Photo: Mike Ludwig)**

Stopping the open burn at Camp Minden was a big victory for local activists and open burn opponents across the country, and now they are launching a campaign (<http://cswab.org/resources/cease-fire-campaign/>) to end the practice in Louisiana and beyond. Local and national activists now have their sights set on Colfax, Louisiana, a majority-

Black community of about 1,500 about 150 miles northwest of Baton Rouge. The waste disposal and cleanup firm Clean Harbors operates an open burn facility there and is seeking state permission to quadruple its output, aiming to burn more than 2 million pounds of hazardous explosives in metal trays each year.

During the crisis at Camp Minden, about 3 million pounds of assorted explosive waste found near the stash of M-6 were removed from the site to reduce the risk of another explosion. A portion of the material was sent to the Clean Harbors facility in Colfax, and state regulators granted the company emergency permission to increase its maximum hourly burn and detonation rate by nearly fourfold to handle the extra load.

It was during this time that Colfax resident Brenda Vallee began hearing explosions at her home less than two miles away from the open burn site.

"Some of the things they have disposed of have been very loud, extremely loud," Vallee told Truthout.

Vallee recalled a tragic and deadly explosion unrelated to the open burn facility that destroyed a nearby home about four or five years ago; police suspected a gas leak. When she first heard the noise coming from the direction of the open burn facility, she worried that another house had blown up.

**"We're not sure what exactly goes up in the air and what comes back down."**

"When I heard it, that was the first thing I thought of," Vallee said.

Clean Harbors completed the Camp Minden job in 2015 and has since asked state regulators for a permit modification that would allow the disposal company to continue burning and detonating waste at the emergency rate, increasing the amount of hazardous explosive material burned at the site from about 500,000 pounds to 2 million pounds each year.

Vallee, who has helped organize a local group to raise awareness about the proposal and bring concerns to local authorities, said her community isn't just worried about noise pollution. Open burn critics say that, over time, toxic chemicals can contaminate the soil and groundwater near open burn sites, and air pollution from the daily blasts can threaten public health.

"We're not sure what exactly goes up in the air and what comes back down," Vallee said.

## Toxic Air Pollution

Inventories of hazardous wastes stored and destroyed at the Colfax facility list sources ranging from a military ammunition plant in Tennessee to various defense contractors and even Disney World. Civilian items such as fireworks and airbag inflators are listed alongside rocket motors, artillery munitions, "bulk high explosives" and "explosive contaminated debris."

Many of these wastes contain a long list of toxic and hazardous chemicals such as lead, arsenic, barium chromate, TNT, nitrocellulose and perchlorate, a chemical used to make explosives and rocket fuel that can damage the human thyroid system (<http://www.ewg.org/research/rocket-fuel-drinking-water/rocket-fuel-drinking-water-perchlorate-pollution-spreading>), which manages the release of hormones in the body. Perchlorate contamination in drinking water has been documented across the country (<http://www.epa.gov/dwstandardsregulations/perchlorate>), including in areas polluted by open burn and detonation sites.

The EPA reports that open burn sites may require extensive cleanup, and the government is still cleaning up (<http://www.aec.army.mil/Services/Restore/MilitaryMunitionsResponseProgram.aspx>) old sites at military bases and decommissioned ammunition plants (<http://www.aec.army.mil/Portals/3/IAP/IA-IAAP.pdf>) across the country ([http://www.azdeq.gov/environ/waste/sps/Camp\\_Navajo\\_DOD.html](http://www.azdeq.gov/environ/waste/sps/Camp_Navajo_DOD.html)). The EPA's own handbook on handling munitions waste states that open burning is in limited use today because the "significant air emissions released during burning" may violate environmental regulations.

During the debate over how to dispose of the M-6 at Camp Minden, activists uncovered internal EPA documents revealing that several regulators had warned against using open burn trays at the site, arguing that the "dirty" and "polluting" disposal process would result in "an environmental mess that someone else will need to clean up."

**"Maybe [Clean Harbors] doesn't have the technology to handle it, but it's out there."**

areas.

Brian Salvatore, a chemistry professor at Louisiana State University in Shreveport who warned early on that an open burn at Camp Minden could produce cancerous fumes, said that he is particularly concerned about impacts that burning compounds containing lead and perchlorate could have on thousands of people living in Colfax and surrounding



"Chemistry doesn't just say 'poof, it's all gone' [after the materials burn]," Salvatore said. "It's transforming into something else."

Resulting air pollutants such as lead oxide, Salvatore said, can gather in the central nervous system and brain, and there are no safe exposure levels of lead for children and infants. Others can cause cancer.

Clean Harbors claims that quadrupling the amount of waste burned at the Colfax facility would result in only a "slight" increase in toxic air emissions because most of the waste material's mass is destroyed as energy is released during detonation. A fact sheet released by the company claims that, under state environmental standards, the facility would still be considered a "minor" source of air pollution after the proposed increase. (The category of "minor" sources also includes oil and gas terminals, pharmaceutical manufacturers and metal factories.)

"We would still be considered to be a very minor source of [air pollution], almost like a asphalt plant, because we have such low emissions of air toxics and pollutants," said Phillip Retallick, the vice president of regulatory affairs at Clean Harbors, in an interview with Truthout.

Clean Harbors estimates the facility would release about 15,200 pounds of toxic air pollutants such as lead, benzene and hydrochloric acid every year if allowed to increase the amount of waste it burns, an increase of about 1,928 pounds per year from the current levels, according to the company's fact sheet and permit documents. This puts the isolated facility far behind larger polluters ([http://iaspub.epa.gov/triexplorer/tri\\_factsheet.factsheet\\_forstate?&pstate=LA&pyear=2013&pDataSet=TRIQ1](http://iaspub.epa.gov/triexplorer/tri_factsheet.factsheet_forstate?&pstate=LA&pyear=2013&pDataSet=TRIQ1)) such as chemical factories and oil refineries in Louisiana's notorious industrial corridors (<http://theind.com/article-20128-'cancer-alley'-gets-more-toxic;-public-kept-out-of-the-loop.html>), but Salvatore said Retallick is comparing apples to oranges.

"You can't say that this is no more dangerous than anything else in the state because there aren't any other places where they are burning these materials," Salvatore said. "It's the nature of the compounds that are of concern."

## **Is Open Burning Legal?**

Congress outlawed the open burning of hazardous waste in the 1970s, but lawmakers made an exemption (<https://www.law.cornell.edu/cfr/text/40/265.382>) at the request of military officials for explosive waste like artillery propellants "which cannot safely be disposed of

through other modes of treatment." Permit records show that regulators granted Clean Harbors this exemption back in 1985, and regulators have allowed the facility to increase its emissions several times since.

To comply with federal law, the facility's permit states that open burning must be limited to explosives "which cannot be safely disposed of through other modes of treatment."

Frances Kelley, a Shreveport-based activist who opposed the open burn plan at Camp Minden, told Truthout that better treatment options such as an incinerator or blast chamber with pollution controls do exist, and Clean Harbors is well aware of them.

"It's illegal even if it's wastes explosives because we have alternatives," said Kelley, who added that Clean Harbors even proposed the use of cleaner technologies in an unsuccessful bid for the cleanup job at Camp Minden.

Truthout has reviewed a series of letters, uncovered by Kelley in a public records request, that were sent to state regulators by David Zogby, the vice president of Explosives Environmental Company, one of Clean Harbors' competitors. Zogby wrote that his company operates an incinerator with air pollution controls in nearby Mississippi designed to destroy the same type of wastes burned by Clean Harbors, but regulators and Clean Harbors had apparently ignored the option. In a letter dated November 2008, Zogby alleges that Clean Harbors even lured or attempted to lure several customers away from his company by offering cheaper prices for much dirtier disposal services at the Colfax site.

## **The battle playing out in Colfax will have implications far beyond Louisiana.**

"If they are competing for the same customers, then alternatives exist," Kelley said.

Zogby did not return a call from Truthout, but Kelley said she recently spoke with him over the phone and confirmed that he never received a response to the letters from state or federal environmental officials.

Retallick declined to comment on statements made by a competing company, but he said that some types of waste treated in Colfax cannot be properly managed in an incinerator and require open detonation, so the permit is perfectly legal.

Salvatore disagreed, arguing that cleaner technology with the ability to trap toxic emissions must be used to dispose of some of the most hazardous materials that he and other opponents worry about most.

"Maybe [Clean Harbors] doesn't have the technology to handle it, but it's out there," Salvatore said.

## **The Military's Toxic Legacy**

Craig Williams, an environmentalist who has spent years pushing the Defense Department to find alternatives to incinerating chemical weapons, agreed that there are plenty of alternatives to the open burning of conventional munitions. He even pointed to a military program in New Jersey that is currently developing a method to recycle artillery propellants like M-6 into biofuels (<http://www.ardec.army.mil/news/article.aspx?id=2448>).

But just because cleaner alternatives are available does not mean the Defense Department and its contractors are going to use them, even if environmentalists argue that such technology is often legally required.

"If they can't blow it up, they like to burn it," Williams said. "It's certainly inappropriate whether it's legal or not, but nevertheless they continue to do it."

Williams said that the process of open burning and detonations is a cheap, one-size-fits-all solution to the military's massive stockpile of leftover explosives, and the process is typically done at facilities in rural areas near communities of color, where residents are assumed to have little political clout to challenge polluters. Colfax is a perfect example.

"Polluters love to burn [waste], because once the emissions are in the atmosphere the burden of proof for someone to say, 'that particular smokestack caused my illness,' is extremely difficult," Williams said, adding that it's much easier to trace liquid or solid pollution back to a single source.

Opponents of open burns are gaining some political clout, at least in Louisiana. The crisis at Camp Minden drew national attention to the military's waste stream and put state and federal lawmakers in the middle of an ugly and very public match of tug of war between the EPA, Louisiana regulators and the military. Some of those same state lawmakers recently introduced legislation (<http://press-herald.com/16750-2/>) to ban open burns of propellant in Louisiana, but it remains unclear if the bill will survive pushback from the military and industry lobbyists.



Williams said that because open burning and detonation of explosives are only supposed to be used when alternatives are not available, environmentalists could challenge the permit in court or challenge the state's authority to enforce federal laws governing hazardous waste all together. Such a case could set an important precedent, but challenging the way the military and its contractors dispose of the weapons of war has proven extremely difficult for environmentalists over the years.

"It's still a David versus Goliath situation in the judicial process," Williams said.

Kelley said she hopes state regulators simply deny the Clean Harbors permit and keep the issue out of the courtroom. In the meantime, letters from people living in Colfax and beyond who oppose the proposal are piling up in the public record, and regulators recently extended the public comment period by several weeks.

The battle playing out in Colfax will have implications far beyond Louisiana. Clean Harbors isn't the only open burn operator in the United States. The EPA lists open burn permits for 20 sites (<http://www.epa.gov/hwpermitting/list-example-hazardous-waste-permits-open-burning-and-open-detonation>) across the country as "examples" on its website, while opponents point out that Canada and several European countries all but banned the practice over a decade ago. These countries, of course, do not have the largest military in the world. That dubious honor belongs to the United States, and over the years its armies have left behind many tons of toxic and explosive waste.

For environmentalists, debate over the open burning of high-grade explosives isn't just about the relative availability of cleaner options and the difference between "major" and "minor" air polluters. If the military was taking responsibility for its hazardous waste seriously, then the crisis at Camp Minden may have never happened, and people like Brenda Vallee in Colfax would not be left to wonder if an explosion in the distance is just the sound of the military burning its trash, or an ominous sign of something much more toxic quietly creeping into the land and air.

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